

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

SEP 15 2008

CHAIRMAN:
Judge John G. Heyburn II
United States District Court
Western District of Kentucky

MEMBERS:
Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

AT SEATTLE
CLERK U.S. DISTRICT COURT
DIRECT REPLY TO
Jeffery N. Lüthi
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

Telephone: [202] 502-2800
Fax: [202] 502-2888
<http://www.jpml.uscourts.gov>

September 10, 2008

Bruce Rifkin, Clerk
U.S. Courthouse, Lobby Level
700 Stewart Street
Seattle, WA 98101

FILED

SEP 30 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Re: MDL No. 1972 -- IN RE: Hawaiian and Guamanian Cabotage Antitrust Litigation

(See Attached CTO-1)

Dear Mr. Rifkin:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on August 25, 2008. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

I hereby certify that the
annexed instrument is a true
and correct copy of the original
on file in my office.

ATTEST: BRUCE RIFKIN
Clerk, U.S. District Court
Western District of Washington

By Sonya Scott
Deputy Clerk

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By Mecca S. Thompson
Mecca S. Thompson
Docket Specialist

Attachment

cc: Transferee Judge: Judge Thomas S. Zilly
Transferor Judges: (See Attached List of Judges)
Transferor Clerks: (See Attached List of Clerks)

**IN RE: HAWAIIAN AND GUAMANIAN CABOTAGE
ANTITRUST LITIGATION**

MDL No. 1972

INVOLVED COUNSEL LIST (CTO-1)

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JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

AUG 25 2008

FILED
CLERK'S OFFICE

Inasmuch as no objection is
pending at this time, the
stay is lifted.

SEP 10 2008

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: HAWAIIAN AND GUAMANIAN CABOTAGE
ANTITRUST LITIGATION

MDL No. 1972

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-1)

On August 13, 2008, the Panel transferred six civil actions to the United States District Court for the Western District of Washington for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* ___ F.Supp.2d ___ (J.P.M.L. 2008). With the consent of that court, all such actions have been assigned to the Honorable Thomas S. Zilly.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Western District of Washington and assigned to Judge Zilly.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Western District of Washington for the reasons stated in the order of August 13, 2008, and, with the consent of that court, assigned to the Honorable Thomas S. Zilly.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Western District of Washington. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:


Jeffery M. Lüthi
Clerk of the Panel

A CERTIFIED TRUE COPY

SEP 10 2008

ATTEST 
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

IN RE: HAWAIIAN AND GUAMANIAN CABOTAGE
ANTITRUST LITIGATION

MDL No. 1972

SCHEDULE CTO-1 - TAG-ALONG ACTIONS

DIST. DIV. C.A. #

CASE CAPTION

CALIFORNIA CENTRAL

CAC 2 08-5018 Next Transportation, LLC v. Matson Navigation Co., Inc., et al. *8CV 1413 TS*

CALIFORNIA NORTHERN

CAN 3 08-3010 Curtis Brunk v. Matson Navigation Co., Inc., et al. *8CV 1414 TS*
CAN 3 08-3169 Winkler Woods, LLC v. Matson Navigation Co., Inc., et al. *8CV 1415 TS*
CAN 3 08-3246 Joshua Wagner v. Horizon Lines, Inc., et al. *8CV 1416 TS*
CAN 3 08-3537 E&M International Transport, Inc. v. Horizon Lines, Inc., et al. *8CV 1417 TS*
CAN 3 08-3597 TJ Gomes Trucking Co., Inc. v. Matson Navigation Co., Inc., et al. *8CV 1418 TS*
CAN 3 08-3629 Laura Cutler v. Matson Navigation Co., Inc., et al. *8CV 1419 TS*
CAN 4 08-3558 SJ Venture Group, LLC v. Matson Navigation Co., Inc., et al. *8CV 1420*

HAWAII

HI 1 08-298 Rhythm of Life Cosmetics, Inc., etc. v. Matson Navigation Co., Inc., et al. *8CV 1421 T.*

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
OFFICE OF THE CLERK**

BRUCE RIFKIN
CLERK

700 STEWART ST. LOBBY LEVEL
SEATTLE, WASHINGTON 98101

September 25, 2008

Clerk, US District Court,
Northern District of California
Phillip Burton US Courthouse, 16th Floor
450 Golden Gate Avenue
San Francisco CA, 94102-3434

RECEIVED

SEP 30 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**IN RE: MDL 1972 HAWAIIAN AND GUAMANIAN CABOTAGE ANTITRUST
LITIGATION**

Dear Clerk:

Enclosed is a certified copy of Transfer Order entered by the Judicial Panel on Multidistrict Litigation. The order became effective on September 15, 2008. We have assigned individual Western District of Washington (WAW) case numbers to your case to be transferred to us as listed below.

Please send us your file along with a certified copy of your docket entries. When you send your files, please refer to the WAWD civil action number C08-1413TSZ, C08-1415TSZ, C08-1416TSZ, C08-1417TSZ, C08-1418TSZ, C08-1419TSZ and C8-1420TSZ e a CM/ECF court you may provided a copy of the case by submitting documents in PDF format on a disc along with a certified copy of the docket sheet. Please do not email a login and password to access the case.

<u>Case Title</u>	<u>Original Case Number</u>	<u>WAWDCase Number</u>
Curtis Bruck, LLC. v. Matson Navigation Co., Inc., et al.	CA 03:08-3010	C08-1414TSZ
Winkler Woods, LLC v. Matson Navigation Co., Inc., et al.	CA 03:08-3169	C08-1415TSZ
Joshua Wagner v. Horizon Lines, Inc., et al.	CA 03:08-3246	C08-1416TSZ
E&M International Transport, Inc. v. Horizon Lines, Inc., et al.	CA 03:08-3537	C08-1417TSZ
TJ Gomes Trucking Co., Inc. v. Matson Navigation Co., Inc., et al	CA 03:08-3597	C08-1418TSZ

Laura Cutler v.

Matson Navigation Co., Inc., et. al. CA 03:08-3629

C08-1419TSZ


SJ Venture Group, LLC v.

Matson Navigation Co. Inc., et. al. CA03:08-3558

C08-1420TSZ

Sincerely,

BRUCE RIFKIN, CLERK

By 
Tonya Scott, Deputy Clerk
206-370-8456